

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JEREMY S. SIMS,

Plaintiff,

Case No. 21-cv-12563
Hon. Matthew F. Leitman

v.

CORIZON CORPORATION,

Defendant.

**ORDER (1) GRANTING PLAINTIFF’S REQUEST TO RE-OPEN CASE
(ECF No. 9), (2) VACATING ORDER OF DISMISSAL AND JUDGMENT
(ECF Nos. 7, 8), AND (3) DIRECTING PLAINTIFF TO
FILE A FIRST AMENDED COMPLAINT**

Plaintiff Jeremy Sims is a state prisoner in the custody of the Michigan Department of Corrections. On October 21, 2021, Sims filed a *pro se* civil rights Complaint in this Court against Defendant Corizon Corporation pursuant to 42 U.S.C. § 1983. (*See* Compl., ECF No. 1.) The Complaint was almost entirely blank. (*See id.*) Apart from listing the “approximate time [] the events giving rise to [his] claims occurred,” the Complaint neither included any allegations about what happened to him nor why Sims believed that Corizon was responsible for any misconduct. (*Id.*, PageID.4-6.)

On November 4, 2021, Magistrate Judge David R. Grand ordered Sims to show cause within thirty days why his Complaint should not be dismissed for failing to state a claim for which relief could be granted (the “Show Cause Order”). (*See* Show Cause Order, ECF No. 4.) In the alternative, Magistrate Judge Grand provided Sims thirty days to file an Amended Complaint that sufficiently stated a claim for relief. (*See id.*) Sims did not file any response to the Show Cause Order. Accordingly, on January 25, 2022, the Court dismissed Sims’ action. (*See* Order, ECF No. 8; Judgment, ECF No. 9.)

On February 4, 2022, Sims filed a request with the Court in which he asks that his action be reinstated. (*See* Req., ECF No. 9.) Sims says that he never received the Show Cause Order, and he says that had he received that order, he “would have sent the information to the court[] within the 30 day time frame” identified in the order. (*Id.*, PageID.33.)

Based on Sims’ representation that he never received the Show Cause Order, the Court will provide him one final opportunity to amend his Complaint. Accordingly, the Court **GRANTS** Sims’ request and **VACATES** its January 25 order and judgment (ECF Nos. 8, 9.) The Court further **DIRECTS** Sims to file a First Amended Complaint by no later than **April 25, 2022.** In that pleading, Sims shall address the flaws in his Complaint identified by the Magistrate Judge and set

forth a plausible claim for relief. Simply put, this is Sims' opportunity to allege any and all facts, currently known to him, that could support his claim against Corizon.

If Sims does not file a First Amended Complaint by April 25, 2022, as set forth above, the Court will dismiss this action.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: February 22, 2022

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 22, 2022, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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